

Appl. No. 09/806,046
Atty. Docket No. CM2108
Amdt. dated 01/18/2005
Reply to Office Action of 09/21/2004
Customer No. 27752

REMARKS

Claim Status

Claims 1, 2, 9 and 11-23 are pending in the present application. Claims 3 and 10 are canceled without prejudice, and Claims 4-8 have been withdrawn with traverse as a result of the Restriction Requirement mailed 3 June, 2004. No additional claims fee is believed to be due.

Claim 1 has been amended to concur with Applicants' election with traverse of chemical entities comprising bleaching agents linked to an amino acid sequence comprising a cellulose binding domain from a 43 kilodalton endoglucanase of *Humicola insolens* DSM 1800. Additionally, Claim 1 has been amended to specify that the bleaching agent and the amino acid sequence comprising a cellulose binding domain are linked via a linking region comprising a polyethylene glycol derivative. Support for the latter amendment may be found from page 8, line 31 to page 9, line 16 of the specification. Finally, Claim 1 as well as Claim 2, have been amended to correctly spell "amorphous".

Claim 9 has been amended to be consistent with the aforementioned restriction requirement. Additionally, the weak bond of Claim 9 has been further defined per the specification at page 14, lines 8-16.

Claim 12 has been amended to include the proper Markush language.

Claims 13 and 14 have been amended to: eliminate the term "chemical entity"; include the proper Markush language; and to change their dependence from Claim 12 to Claim 11. Antecedent basis for these amendments may be found in the claims as originally submitted.

Applicants respectfully submit that Claim 15 should not be withdrawn from consideration as is indicated on page 5 of the Office Action for the following reason. Claim 15 as amended on 23 March, 2001, before the Restriction Requirement was made, ultimately depended from Claim 1, which in turn, is not among those claims that were withdrawn from consideration. Thus Applicants respectfully request that Claim 15 be reinstated for further consideration by the Examiner. Toward that end, Claim 15 has been amended to eliminate the term "chemical entity".

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It is believed that these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejections Under 35 USC §112, Second Paragraph

Claims 9, 13 and 14 have been rejected as being indefinite under 35 USC §112, second paragraph. The Office Action asserts that Claim 9 is indefinite for two reasons: first, Claim 9 lacks antecedent basis for "said linking region" and second, the term "weak bond" is a relative term which renders Claim 9 indefinite. In response, Applicants have amended Claim 1, from which Claim 9 depends, in order to provide antecedent basis for "said linking region". Additionally, Applicants have amended Claim 9 to include the types of bonds that are "weak" as per the specification.

Claims 13 and 14 are deemed indefinite by the Office Action for the recitation of "a chemical entity...according to Claim 12" since Claim 12 does not recite a chemical entity. Applicants have amended Claims 13 and 14 to eliminate reference to a "chemical entity...according to Claim 12". As an aside, Claims 13 and 14 have been amended to depend from Claim 11.

For the foregoing reasons, Applicants respectfully request withdrawal of the 35 USC §112, Second Paragraph rejections of Claims 9, 13 and 14.

Rejections Under 35 USC §112, First Paragraph

Claims 1-3 and 9-14 have been rejected under 35 USC §112, first paragraph, as failing to comply with the written description requirement contained therein. The Office Action asserts that although the claims are directed to a genus of a chemical entity having the disclosed specific binding constants for crystalline cellulose, the specification only teaches the structure of three representative species of such cellulose binding domains. As a consequence, the Office Action indicates that these claims are indefinite.

In response, Applicants first note that Claims 3 and 10 are currently canceled. Second, Applicants note that Claim 1, from which Claims 2, 9 and 11-14 either depend or ultimately depend, has been amended to include only one species of a chemical entity. Namely, Claim 1 has been amended to specify a chemical entity comprising a bleaching agent linked to a cellulose binding domain from a 43 kilodalton endoglucanase of *Humicola insolens* DSM 1800 via a linking region comprised of a polyethylene glycol

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derivate. Applicants assert that newly amended Claim 1 describes the invention in such full, clear and concise terms so as to enable any person skilled in the art to make and use the same. Consequently, Applicants respectfully request withdrawal of the §112, first paragraph rejections of pending Claims 1, 2, 9 and 11-14.

Rejections Under 35 USC §§102 and 103

Claims 1-3 and 9-14 have been rejected under 35 USC §102(b) as being anticipated by WO 97/28243, hereinafter referred to as von der Osten. Additionally, the same claims have been rejected under 35 USC §102(a) as being anticipated by or, in the alternative, under 35 USC §103(a) as being obvious over WO 98/00500, hereinafter referred to as Jones.

Applicants have amended the claims of the instant invention to more particularly define the invention. Claim 1 has been amended to require *inter alia* that the amino acid sequence comprising a cellulose binding domain and the bleaching agent comprising the chemical entity be linked via a linking region comprising a polyethylene glycol (PEG) derivative. Applicants assert that neither von der Osten nor Jones teach or suggest a linking region comprising a PEG derivative. Moreover, Applicants assert that this difference from the cited art is novel and unobvious. Consequently, Applicants respectfully request reconsideration and withdrawal of the aforementioned rejections to Claim 1 as well as to pending Claims 2, 9 and 11-14, which either depend or ultimately depend therefrom.

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Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejections under 35 USC §§112, 102 and 103. Early and favorable action in the case is respectfully requested.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1, 2, 9 and 11-23 is respectfully requested.

Respectfully submitted,

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